REMARKS/ARGUMENTS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 1-16 are pending in this application. Claim 16 is amended and Claim 17 is canceled by the present amendment.

In the Office Action, the drawings were objected to; the Abstract of the specification was objected to; the specification was objected to; Claims 16 and 17 were rejected under 35 U.S.C. § 101; Claims 1-3, 9-14, and 16-17 were rejected under 35 U.S.C. § 102(e) as unpatentable over U.S. Patent No. 6,356,929 to Gall et al. (herein "Gall"); Claims 4 and 5 were rejected under 35 U.S.C. § 103(a) as unpatentable over Gall in view of U.S. Patent No. 6,598,067 to Wydra et al. (herein "Wydra"); Claim 15 was rejected under 35 U.S.C. § 103(a) as unpatentable over Gall in view of Examiner's Official Notice; and Claims 6-8 were indicated as allowable if rewritten in independent form.

Applicant gratefully acknowledges the indication of allowable subject matter in Claims 6-8. However, as Applicant believes the independent claims recite allowable subject matter, Claims 6-8 are not amended to be in independent form by this amendment.

First, Applicant respectfully traverses the objections to the drawings, as it is believed that each of the claimed features are shown in the present drawings.

In particular, regarding comments a, b, and g in the Office Action, Figure 5 shows an example of self assessment module 14 that includes a status evaluation unit 44 connected to a static status unit 40 and a dynamic status unit 42. As clearly indicated in the specification at page 5, line 23, to page 6, line 14, static hardware status information in the static status unit 40 may include various hardware resource information. Further, dynamic status information in the dynamic status unit 42 may include various dynamic status information (e.g., status of

alien processes), which may be based on hardware resources (e.g., CPU and Disk). Accordingly, the drawings show examples of each of the noted claimed features.

Further, regarding comments c and h in the Office Action, Figure 3 shows an embodiment of the invention including a system security module 16. As noted in the specification at page 6, lines 21-28, the system security module 16 may use a trust list including station identifiers of trusted stations. Thus, Figure 3 shows an example including those noted claimed features, as well.

Moreover, regarding comments e and f in the Office action, Applicant respectfully notes that the specification indicates that broadcast unit 48 shown in Figure 4 is operable to transmit resource requests [e.g., request to perform a task] to the network,[1] and the specification indicates that the answer unit 46 includes information about the station's self-assessment of its performance [e.g., current status of station].[2] Thus, it is believed that the drawings show examples of the corresponding claimed features.

In addition, regarding comment i in the Office Action, Applicant notes that Figure 3 shows an arrow connecting the task execution monitoring and reporting module 18 to network 10. Further, the specification indicates that the task execution monitoring and reporting module 18 may broadcast status to the network. Thus, it is believed that the drawings show an example of the corresponding claimed feature.

Moreover, regarding comment k in the Office Action, Applicant notes that Figure 3 shows plural service modules 1…30, and the specification indicates that service modules may be inside of "redistributable software resource repository." Thus, it is believed that the drawings show an example of the corresponding claimed feature.

---

[1] Specification at page 5, lines 4-5.
[2] Specification at page 5, lines 5-10.

Further, regarding comments o and p in the Office Action, Applicant notes that the task failure management module 26 in Figure 3 is connected to the task scheduler module 20 and the task execution monitoring reporting module 18, and the task execution monitoring reporting module 18 is connected to the network 10. Thus, one of skill in the art would understand that the task failure management module 26 in this example is configured to communicate with the connected modules and also with the network 10. Further, the specification indicates that the task failure management module 26 "deals with both failure of itself and other stations in the network" and may "put a requirement up to the network [e.g., a failure message] for solution."[3] Thus, it is believed that the drawings show an example of the corresponding claimed features.

In addition, regarding comments l, m, and n in the Office Action, Figure 4 shows an embodiment of a broadcast/answer module 12 that includes a broadcast unit 48 and an answering unit 46. Further, as noted in the specification at page 5, lines 5-6, the broadcast unit 48 may transmit resource requests to the network, and the answering unit 46 may consider station resources before taking on the new task.[4] In addition, as shown in Figures 3 and 4, the broadcast/answer module 12 may be connected to the service/performance history learning analysis module 24 (e.g., artificial intelligence) via the service requirement analysis module 22. Thus, it is believed that Figures 3 and 4 also show examples of each of those noted claimed features.

In addition, regarding comment j in the Office Action, Applicant notes that a task scheduler schedules tasks being performed by the station, and the station has the facility to accept tasks requested by other stations. Thus, it is clear from Figure 3 that the task scheduler will be able to schedule tasks initiated by the station or another station.

---

[3] Specification at page 8, lines 10-12.
[4] Specification at page 5, lines 3-10.

Regarding comment r in the Office Action, Applicant respectfully submits that the specification and figures, as originally filed, provide adequate support for the claimed method and apparatus. The drawings show embodiments of the invention including executable modules, for example executable modules which may be implemented in software. Accordingly, the Figures also represent a method of distributing tasks in a network, as would be understood by one of skill in the art of distributed networking.

Accordingly, Applicant respectfully submits that the drawings show each of the claimed features of the inventions in accordance with 37 C.F.R. 1.83(a). Therefore, Applicant respectfully requests the objection to the drawings be withdrawn.

Further, the Abstract is amended in light of suggestions in the Office Action. Accordingly, it is requested that the objection to the Abstract be withdrawn.

In addition, regarding the objection to the disclosure in the Office Action labeled "s", Applicant respectfully notes that the informality identified in the Office Action was corrected in the Amendment filed December 16, 2005. Accordingly, it is respectfully requested that objection to the disclosure be withdrawn.

Further, regarding objection to the disclosure in the Office Action labeled "t", the Specification is amended in light of comments in the Office Action. Thus, it is requested that objection to the disclosure also be withdrawn.

In addition, regarding the rejection under 35 U.S.C. § 101, Claim 17 is canceled, and Claim 16 is amended to more clearly recite a computer program storage medium, which is statutory subject matter. See *In re Beauregard*, 53 F3d 1583 (Fed. Cir. 1995). In particular, Claim 16 is amended to recite a computer program storage medium, for example, as described in the specification at page 15, lines 8-9. Accordingly, it is respectfully submitted that the claim amendments find support in the specification and are directed to statutory subject matter. Thus, it is requested the rejection under 35 U.S.C. § 101 be withdrawn.

In addition, Applicant respectfully traverses the rejection of Claims 1-3, 9-14, and 16-17 under 35 U.S.C. § 102(e) as unpatentable over Gall.

Claim 1 is directed to a station for a network apparatus that includes, in part, a trust list identifying other trusted stations, and a broadcast unit capable of transmitting service requests to each other station identified in the trust list. Claim 14 includes similar features.

In other words, a station according to the independent claims may broadcast service requests by directly addressing the stations identified in the trust list. Therefore, a station according to Claim 1 may advantageously enable each station in the system to enjoy the advantage of transmitting service requests to other trusted stations, and in a system composed of such stations, there is no central single point for system failure.[5]

Applicant respectfully submits that Gall fails to teach or suggest each feature of the independent claims. For example, Applicant respectfully submits that Gall fails to teach or suggest a broadcast unit capable of transmitting service requests to each other station identified in a trust list. Further, Gall fails to teach or suggest an ability of each station to maintain its own trust list and to directly address other trusted stations. In Figure 2, Gall shows a system that relies upon a central IP multicast router 210 connected to all the other computers, which is different than the claimed approach, which does not rely upon a central router, but instead broadcasts service requests "to said each other station identified in said trust list," as recited in Claim 1, and as similarly recited in Claim 14.

Accordingly, it is respectfully submitted that independent Claims 1 and 14, and claims depending therefrom, patentably define over Gall.

Further, Applicant respectfully traverses the rejections of Claims 4, 5, and 15 under 35 U.S.C. § 103(a) as unpatentable over Gall and Official Notice or Gall and Wydra. Claims 4, 5, and 15 depend from Claims 1 and 14, which are believed to patentably define over Gall

---

[5] Specification at page 3, lines 1-3.

13

as discussed above. Further, both of the Official Notice and <u>Wydra</u>, which also describes the use of a central database server and application server which connect to a set of networked computers, fail to teach or suggest the claimed features lacking in the disclosure of <u>Gall</u>. Accordingly, it is respectfully requested the rejections under 35 U.S.C. § 103(a) also be withdrawn.

Thus, Applicant respectfully submits that independent Claims 1 and 14, and claims depending therefrom, are allowable.

Consequently, in light of the above discussion and in view of the present amendment, this application is believed to be in condition for allowance and an early and favorable action to that effect is respectfully requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

Bradley D. Lytle
Attorney of Record
Registration No. 40,073

Customer Number
22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 06/04)

Zachary S. Stern
Registration No. 54,719

I:\ATTY\ZS\28's\282\282624US\282624-AM.111306.DOC